

RECEIVED
CENTRAL FAX CENTER

001/005

JAN 31 2006

SMITH FROHWEIN TEMPEL GREENLEE BLAHA LLC

2 Ravinia Drive
 Suite 790
 ATLANTA, GEORGIA 30346
 404/815-9300
 FACSIMILE 770/804-0900
www.lavagrouplaw.com

FACSIMILE TRANSMITTAL

To: MAIL STOP: AMENDMENTS

From: Eric Ringer

Examiner: Karmis, Stefanos

Date: 31 January 2006

Facsimile: (571) 273 8300

No. of pages (including cover): 5

Phone:

LAVA Group File #: 03001.1020

Application Serial No: 10/646,150

Filing Date: 22 August 2003

Title: SYSTEM AND METHOD FOR DYNAMICALLY MANAGING A FINANCIAL ACCOUNT

Subject: Information Disclosure Statement

Urgent For Review Please Comment Please Reply Please Recycle

Comments:

This transmission includes:

Transmittal Form – PTO/SB/21 (09-04) – 1 page;
 Information Disclosure Statement – 2 pages;
 Form PTO/SB/08A – 1 page.

Eric M. Ringer
 (770) 804 0900 (fax)
 (770) 804 9080 (voice)

TWO RAVINIA DRIVE, SUITE 790
 ATLANTA, GEORGIA 30346

TELEPHONE: 770-804-9080
 FACSIMILE: 770-804-0900

EMAIL: eringer@lavagrouplaw.com

RECEIVED
CENTRAL FAX CENTER

002/005

JAN 31 2006

PTO/SB/21 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5

| | |
|--|----------------------|
| Application Number | 10/646,150 |
| Filing Date | 22 August 2003 |
| First Named Inventor | Sheldon H. Foss, Jr. |
| Art Unit | 3624 |
| Examiner Name | Karmis, Stefanos |
| Total Number of Pages in This Submission | 5 |
| Attorney Docket Number | 03001.1020 |

ENCLOSURES (Check all that apply)

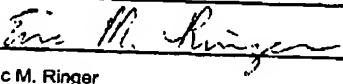
| | | |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile cover sheet - 1 pg; |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | |
| <input checked="" type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Reply to Missing Parts/Incomplete Application | <input type="checkbox"/> Landscape Table on CD | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|---|----------|--------|
| Firm Name | Smith Frohwein Tempel Greenlee Blaha LLC | | |
| Signature |  | | |
| Printed name | Eric M. Ringer | | |
| Date | 5/ January 2006 | Reg. No. | 47,028 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

| | | | |
|-----------------------|---|------|-----------------|
| Signature |  | | |
| Typed or printed name | Eric M. Ringer | Date | 5/ January 2006 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including amount of time you require to complete this form and/or suggestions for reducing this burden. Any comments on the burden of this collection of information should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Sheet 1

Sh

1

1

1

| Complete if Known | |
|------------------------|----------------------|
| Application Number | 10/646,150 |
| Filing Date | 22 August 2003 |
| First Named Inventor | Sheldon H. Foss, Jr. |
| Art Unit | 3624 |
| Examiner Name | Karmis, Stefanos |
| Attorney Docket Number | 03001.1020 |

| Examiner Initials* | Cite No. ¹ | U. S. PATENT DOCUMENTS | | | |
|--------------------|-----------------------|---|--------------------------------|--|---|
| | | Document Number Number-Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | A | US- 6,295,522 | | Boesch, Brian | |
| | B | US- 6,182,895 | | Albrecht, Jerry L. | |
| | C | US- 2005/0182720 | | Willard et al. | |
| | D | US- 2005/0065877 | | Cleary et al. | |
| | E | US- 2005/0038714 | | Bonet et al. | |
| | F | US- 2005/0010483 | | Ling, Marvin T. | |
| | G | US- 2004/0199422 | | Napier et al. | |
| | H | US- 2004/0167821 | | Baumgartner, David | |
| | I | US- 2004/0054587 | | Dev et al. | |
| | J | US- 2004/0030647 | | Hansen et al. | |
| | K | US- 2003/0212796 | | Willard et al. | |
| | L | US- 2002/0083012 | | Bush et al. | |
| | M | US- 2002/0143647 | | Headings et al. | |
| | N | US- | | | |
| | O | US- | | | |
| | P | US- | | | |
| | Q | US- | | | |
| | R | US- | | | |
| | S | US- | | | |

EXAMINER: Initial if reference considered, whether or not citation is in conformance. "X" considered. Include all references cited in the specification.

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 801.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the Indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English translation is attached.
This action is:

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

JAN 31 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In Re Application of:

Sheldon H. Foss, Jr.

Confirmation No.: 8917

Serial No.: 10/646,150

Group Art Unit: 3624

Filed: 22 August 2003

Examiner: Karmis, Stefanos

For: SYSTEM AND METHOD FOR DYNAMICALLY MANAGING A FINANCIAL ACCOUNT

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

Sir:

This information disclosure statement is filed in accordance with 37 C.F.R. §§ 1.56, 1.97, and 1.98, and specifically:

- under 37 CFR 1.97(b), or
 (within Three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- under 37 CFR 1.97(c) together with either a:
 - Statement Under 37 C.F.R. 1.97(e), or
 - a \$180.00 fee under 37 CFR 1.17(p), or
 (After the CFR 1.97(b) time period, but before the final office action or notice of allowance, whichever occurs first)
- under 37 CFR 1.97(d) together with a:
 - Statement under 37 CFR 1.97(e), and
 - a \$180.00 petition fee set forth in 37 CFR 1.17(p).
 (Filed after final office action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Enclosed is a check in the amount of \$

Enclosed is Credit Card Payment Form (PTO-2038) in the amount of \$180.00.

Please charge \$ to deposit account . At any time during the pendency of this application, please charge any fees required to Deposit Account pursuant to 37 CFR 1.25. The Commissioner is hereby requested to credit any overpayment to Deposit Account No.

- Applicant(s) submit herewith *Form PTO/SB/08A (0705) (substitute for form 1449/PTO) - Information Disclosure Statement by Applicant* together with copies (where required) of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may or may not be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56. As required by 37 C.F.R. §1.98(a), a legible copy of each document is provided.
- A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on FORM PTO/SB/08A, as presently understood by the individual(s) designated in 37 CFR 1.56(c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on the form PTO 1449 and is enclosed herewith.

The following rights are reserved by the Applicant(s): the right to establish the patentability of the claimed invention over any of the listed documents should they be applied as reference, and/or the right to prove that some of these documents may not be prior art, and/or the right to prove that some of these documents may not be enabling for the teachings they purport to offer.

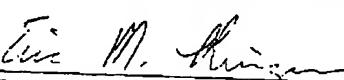
This statement should not be construed as a representation that an exhaustive search has been made, or that information more material to the examination of the present application does not exist. Any statements or identifications regarding the relevance of any portion(s) of cited references should not be construed as a representation that the most relevant portion(s) have been identified, and the absence of such statements or identifications should not be construed as representations that there are no relevant portion(s). The Examiner is specifically requested not to rely solely on the materials submitted herewith. The Examiner is requested to conduct an independent and thorough review of the documents, and to form independent opinions as to their significance.

It is requested that the information disclosed herein be made of record in this application and that the Examiner initial and return a copy of the enclosed PTO/SB/08A to indicate the documents have been considered.

Respectfully Submitted,

SMITH FROHWEIN TEMPLE GREENLEE BLAHA LLC

By:



Eric M. Ringer, Reg. No. 47,028

P.O. BOX 88148
Atlanta, GA 30356

404 815 - 9300 (main number)
770 804 - 0900 (facsimile)
770 804 - 9080 (direct dial)